

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL J. FORD,

Plaintiff,

v.

PROGRESSIVE SPECIALTY INSURANCE
COMPANY,

Defendants.

CIVIL ACTION
NO. 21-04147

ORDER

AND NOW, this 2nd day of March 2022, upon consideration of Defendant's Motion to Dismiss (Doc. No. 6), Plaintiff's Response in Opposition (Doc. No. 7), Defendant's Reply (Doc. No. 8), Plaintiff's Supplemental Memorandum (Doc. No. 16), Defendant's Response in Opposition (Doc. No. 19), the statements of counsel during the hearing held on December 22, 2021, and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendant's Motion to Dismiss Count I of the Complaint seeking a declaratory judgment is **GRANTED**.
2. Defendant's Motion to Dismiss Count II of the Complaint for breach of contract is **DENIED**.
3. Defendant shall file an Answer to the Complaint by March 23, 2022.

BY THE COURT:

JOEL H. SLOMSKY, J.